

# Exhibit A

J5N7CAS1

1 UNITED STATES DISTRICT COURT  
2 SOUTHERN DISTRICT OF NEW YORK

-----x

3 UNITED STATES OF AMERICA,

4 v.

18 CR 15 (AKH)

5 EUGENE CASTELLE,

6 Defendant.

TRIAL

7 -----x

8 New York, N.Y.

9 May 23, 2019

10:15 a.m.

10 Before:

11 HON. ALVIN K. HELLERSTEIN,

12 District Judge

13 -and a jury-

14 APPEARANCES

15  
16 GEOFFREY S. BERMAN,

United States Attorney for the

17 Southern District of New York

HAGAN C. SCOTTEN

18 JACOB R. FIDDELMAN

Assistant United States Attorneys

19 GERALD J. McMAHON

20 Attorney for Defendant

21 ALSO PRESENT: DARCI BRADY, Paralegal Specialist

22 CASSANDRA WILLIAMS, Paralegal

J5N7CAS3

Pennisi - Direct

1 Q. And what does that mean, being associated with the Colombo  
2 family, what does that mean?

3 A. That we were going to have a problem with them.

4 Q. And based on your fear of the Colombo family, what did you  
5 do?

6 A. I went to go speak to a childhood friend of mine.

7 Q. Before I ask about the friend, why not just go to the  
8 Colombo family?

9 A. I wasn't able to.

10 Q. Why not?

11 A. Because you just can't -- you just can't go -- you can't go  
12 to them. You just can't do it; you can't go to these people.

13 Q. And to be clear, what was your status in the organized  
14 crime world at this time?

15 A. Nothing.

16 Q. So, who did you go to?

17 A. I went to a childhood friend of mine.

18 Q. What was his name?

19 A. Joey.

20 Q. What was Joey's last name?

21 A. DiBenedetto.

22 THE COURT: DiBenedetto?

23 THE WITNESS: DiBenedetto.

24 Q. Could you spell it for the record?

25 A. I believe it's capital D-i, capital B-e-n-e-d-e-t-t-o.

J5N7CAS3

Pennisi - Direct

1 Q. And why Mr. DiBenedetto, why did you reach out to him?

2 A. He was a member of the family.

3 Q. Which family?

4 A. Lucchese.

5 Q. And so why reach out to a member of the Lucchese family  
6 based on your concerns about the Colombos?

7 A. He would be able to go and speak to them for me.

8 Q. Why?

9 A. Because he was a member.

10 Q. After you spoke with DiBenedetto, did you in fact have any  
11 problems with the Colombos?

12 A. I did not.

13 Q. Did reaching out to DiBenedetto have any consequences for  
14 you?

15 A. Yes.

16 Q. What happened?

17 A. I started staying with him on a daily basis, and eventually  
18 he put me with him.

19 Q. When you say he put you with him, what does that mean?

20 A. I was associated to him. You know, he was a member, and I  
21 was associated with him.

22 Q. Is there another phrase for your status relative to him?

23 A. I was an associate.

24 Q. Were you on record with him?

25 A. I was on record.

J5N7CAS3

Pennisi - Direct

1 Q. And did that mean you're just with him, or is there some  
2 consequences for a family affiliation as well?

3 A. I was on record with the family as an associate.

4 Q. Were there any benefits to being an associate with  
5 DiBenedetto and the Lucchese family?

6 A. Yes.

7 Q. What were those benefits?

8 A. Just like the early incident with these guys with the  
9 fight, they would now be able to speak for me.

10 Q. If you needed representation in something like this, did  
11 you tell people you were with Joseph DiBenedetto?

12 A. No.

13 Q. Why not?

14 A. Because you just didn't mention somebody's name.

15 Q. So what would you say?

16 A. I'm going to speak to my friend.

17 Q. Did you ever speak with associates around other friends?

18 A. Yes.

19 Q. And so if you needed to put an associate in touch with  
20 DiBenedetto, or you needed the two made men to speak, how would  
21 you say that?

22 A. You go talk to your friend, I'll talk to mine.

23 Q. Did you have any obligations as a result of being on record  
24 with the Lucchese family?

25 A. Yes.

J5N7CAS3

Pennisi - Direct

1 that we want everybody to come to this wake.

2 Q. This wake. Was it just your crew or people from many  
3 crews?

4 A. It was basically the whole family, all the crews showed up.

5 MR. SCOTTEN: Your Honor, are we taking a break this  
6 afternoon or going to go straight through?

7 THE COURT: We have another half hour. Are you game  
8 for it?

9 MR. SCOTTEN: OK, we'll keep going.

10 Q. So, I think you already mentioned the administration, but  
11 let me show you 216C. Do you recognize the people in the front  
12 row of this picture?

13 A. Yes.

14 Q. So going from the left side of the screen to the right side  
15 of the screen --

16 THE COURT: Your left to your right.

17 A. OK. That's Joe DiNapoli, Stevie Crea and Matty Madonna.

18 THE COURT: Who is the last guy?

19 THE WITNESS: Matty Madonna.

20 THE COURT: Matty McDonald?

21 THE WITNESS: Madonna.

22 Q. Is that the same Matty Madonna you have previously  
23 identified as the acting boss of the family?

24 A. Correct.

25 Q. And the man on the left?

J5N7CAS3

Pennisi - Direct

1 THE COURT: Not the singer.

2 THE WITNESS: Not the singer.

3 Q. The man on the far left who you identified as Joe DiNapoli,  
4 he was also present at your ceremony?

5 A. He was.

6 Q. And then the man in the center bottom row in the brown  
7 jacket, who is that?

8 A. It looks like a black jacket, but that's Stevie Crea.

9 Q. You said he was not at your ceremony.

10 A. He was not.

11 Q. Can you remind the jury of the three ranks starting with  
12 Madonna.

13 A. Matty is the acting boss of the family. Stevie Crea is  
14 official underboss of the family. And Joe DiNapoli was the  
15 official consigliere of the family.

16 Q. So you described two men as official and Madonna is only  
17 acting. What's the difference?

18 A. Official obviously meant that they had the position  
19 officially, and acting meant that Matty was acting for the boss  
20 of the family.

21 Q. Do you know who the boss of the family was?

22 A. Yes.

23 Q. Who is that?

24 A. Vic Amuso.

25 Q. And why couldn't Vic -- why did Vic Amuso need an acting

J5N7CAS3

Pennisi - Direct

1 person?

2 A. He's in federal prison.

3 Q. Do you remember where you were first introduced to the  
4 underboss Steven Crea?

5 A. Yes.

6 Q. Where was that?

7 A. At the club in the Bronx, social club.

8 Q. I'm going to show you what is in evidence as 240. Do you  
9 recognize this location?

10 A. Yeah, that's the club in the Bronx.

11 THE COURT: The what?

12 THE WITNESS: The social club.

13 THE COURT: The social club.

14 Q. In the Bronx, is that correct?

15 A. Yeah.

16 Q. Between 2012 and 2017, how many times do you think you went  
17 to the club in the Bronx?

18 A. I went a lot.

19 Q. In general terms, can you describe -- well, first, what  
20 does it look like inside there?

21 A. When you first walk in, to the right is like a round card  
22 table, and then they sort of put smaller square tables together  
23 to make a long table, and then there is a kitchen area, a  
24 bathroom and kitchen area, small kitchen.

25 Q. What would people typically be doing when you went there?



J5N7CAS3

Pennisi - Direct

1 A. Playing cards or sitting around talking and cooking and  
2 eating.

3 Q. Can any member of the public go into this club?

4 A. No.

5 Q. What are the requirements for going into this club?

6 A. It was our club. I mean there were just people -- I mean  
7 people from the street just didn't walk in there.

8 THE COURT: Who was there? The Luccheses?

9 THE WITNESS: The family was there, yeah, different  
10 crews too, we all met there.

11 THE COURT: Did you know each other, the crews?

12 THE WITNESS: We did. And if we didn't, we were again  
13 introduced to whoever we had never met, different people.

14 THE COURT: And you hung out in the club.

15 THE WITNESS: Yeah, it was social.

16 Q. Now you said different crews were in the club; is that  
17 right?

18 A. Yeah, the guys from the Long Island crew would be there,  
19 guys from the Bronx, Manhattan, Brooklyn, Staten Island.

20 Q. Do you know what crew the defendant was in when you were  
21 first made before he came to your crew?

22 A. Yes.

23 Q. What crew was that?

24 A. He was in the Bronx crew.

25 Q. Do you know whose crew it was, who the captain was?

J5N7CAS3

Pennisi - Direct

1 A. Yes.

2 Q. What did you do?

3 A. A lot of times someone was owed money, and the person who  
4 was not paying them, we would go take a trip, go to their  
5 business or what not and tell them that they've got to pay this  
6 money, intimidate them.

7 Q. Did you or the people in the family you were working with,  
8 did you ever do anything else to get business advantages out of  
9 being in the Lucchese family?

10 A. I'm sorry, I didn't hear you.

11 Q. Let me be more specific. In the fiber-optic industry, did  
12 you ever do anything to get advantage using your family  
13 membership?

14 A. Yes.

15 Q. What did you do?

16 A. We -- again we intimidated by our presence subcontractors.  
17 We -- I took over the safety part of the job. I put two safety  
18 people there. I was getting what was supposed to be a no-show  
19 paycheck, but I used to show up, and I used to show up to the  
20 job when I could, because I was working during the daytime, and  
21 I would go after my regular job to Long Island or where this  
22 work was being done, and I would check on the safety people.  
23 If they were in Jersey, I went and checked on them.

24 Q. What part of this is illegal or involved the mob?

25 A. Well, for all intents and purposes it was a no-show job for

J5N7CAS3

Pennisi - Direct

1 myself because I wasn't going there every day. Our presence  
2 alone was there to intimidate these subcontractors into  
3 charging what we wanted them to charge for the contract, and  
4 the company was billing a bigger company who hired them.

5 Q. Do you have a sense of how much you profited from this?

6 A. Myself?

7 Q. Yeah, you personally.

8 A. It didn't last long, so maybe the most 9, \$10,000. It  
9 didn't last that long.

10 Q. Has there been a change in the administration of the  
11 Lucchese family since you became a member?

12 A. Yes.

13 Q. So you said earlier that Matty Madonna was the acting boss.  
14 Who is the acting boss now?

15 A. The last I remember was Mikey DeSantis.

16 Q. So around when you --

17 MR. MCMAHON: I didn't hear the last name.

18 THE COURT: What's the last name?

19 THE WITNESS: DeSantis.

20 THE COURT: D-I --

21 THE WITNESS: No, I think it's D-e.

22 THE COURT: S-A-N-T-I --

23 THE WITNESS: S-a-n-t-i-s.

24 Q. Were you at all involved in the change between Madonna and  
25 DeSantis?

J5N7CAS3

Pennisi - Direct

1 A. Yes.

2 THE COURT: Don't drop your voice.

3 MR. SCOTTEN: Thank you, Judge.

4 Q. What was the first thing you did as part of this  
5 transition?

6 A. I was asked to send a message.

7 Q. Who asked you to send the message?

8 A. Patty Dello Russo asked me to send a message to Little  
9 Joey.

10 Q. What was the message?

11 A. The message was that they wanted to get a message to Vic  
12 Amuso, the boss in prison, that there were guys out here very  
13 loyal to him and that they were willing to step into these  
14 administrative positions. There was a big arrest, so there was  
15 some vacancy in these positions.

16 Q. And why is DiBenedetto the person to bring this message to  
17 Amuso?

18 A. He's Vic Amuso's son-in-law; he's married to his daughter.

19 Q. And did you in fact take this message to DiBenedetto?

20 A. I didn't take the message. I went and spoke to Joey. I  
21 never discussed it with him.

22 Q. Why not?

23 A. Because when I got there he was complaining about Boobsie.

24 Q. What did DiBenedetto tell you about Boobsie?

25 A. That Boobsie also was trying to get messages to Vic Amuso

J5N7CAS3

Pennisi - Direct

1 through Joey, saying that he would take over as the boss of the  
2 family.

3 Q. And how did DiBenedetto feel about that?

4 A. He was --

5 Q. What did he say about it, to be more precise?

6 A. He said, could you believe this guy? And I said, yes.

7 Q. So why didn't you give your own message then?

8 A. Because Joey was complaining that -- he says these guys,  
9 you know, they're coming to give me messages, and they should  
10 go -- use protocol. They should go to their skipper, their  
11 captain, and say they want to send a message and let them send  
12 it that way. He didn't want them going through him. He didn't  
13 want to be involved in it at all.

14 So, after listening to him go on and on and on, I  
15 wasn't going to now give him the same kind of message. I just  
16 kept my mouth closed. I know obviously if he is not going to  
17 do it for them, for Boobsie or anybody else, he's not going to  
18 do it for who I'm giving the message for. He was adamant he  
19 didn't want no part of it.

20 Q. Was there eventually a change in the family leadership?

21 A. Yes, there was.

22 Q. And was the transition peaceful?

23 A. It was peaceful.

24 Q. Were you prepared to use violence to accomplish it?

25 A. Yes.

J5N7CAS3

Pennisi - Direct

1 Q. Did you discuss this with others?

2 A. It was discussed with me, yes.

3 Q. So who came to you?

4 A. Again, Patty Dello Russo came to me.

5 Q. And just to be clear, who is Patty Dello Russo at this  
6 time?

7 A. He is another member of the Long Island crew.

8 Q. And what did Dello Russo say to you, as best you remember?

9 A. He had said that they were going to have a meeting with  
10 Stevie, they were going to -- there was -- after I didn't send  
11 the message, I just said that I don't think he is going to do  
12 it. I didn't say that I didn't give the message. I just said,  
13 no, Joey is not going to do it, you know, it's not going to  
14 happen. They said we'll go about it in a different way.

15 There was a letter somehow sent to Vic I would assume  
16 in code. I don't know how the letter was -- I don't know how  
17 he got the letter. I don't know about that, but I know there  
18 was a letter explaining exactly what the message was, that  
19 there was a crew of guys very loyal to him out here; they were  
20 all Brooklyn guys. The administration of the family had  
21 shifted to the Bronx. They wanted to take the family back to  
22 Brooklyn. That's really what this was about.

23 And so it was explained that there was a letter  
24 written to Vic, and he approved that -- you know, he -- he  
25 okayed -- he was OK with them taking these positions in the

J5N7CAS3

Pennisi - Direct

1 family, and so they were going to have a meeting with Stevie  
2 Crea to show him the letter, because there was a letter written  
3 back, and explain that they were ready to move into these  
4 positions.

5 (Continued on next page)

J5NVCAS4

Pennisi - direct

1 BY MR. SCOTTEN:

2 Q. And just so I'm clear, the letter written back is from who?

3 A. Vic Amuso.

4 Q. And what did Dello Russo say to you about the possibility  
5 of Stevie Crea not going along with it?

6 A. He said that hopefully it goes well, it goes peaceful.

7 Stevie was potentially going to have a case soon. They assumed  
8 that there was a case coming up for him. But in the event that  
9 they balked or they wanted to stand -- hold their positions,  
10 they were against it, that we would deal with the guys from the  
11 Bronx.

12 Q. Did Dello Russo ask you if you would be a part of this?

13 A. He said, I know that we -- we got to ask you that you could  
14 be a part of this with us, handling this.

15 So I said, You don't.

16 Q. What did you understand "handling this" to mean?

17 A. Excuse me?

18 Q. What did you think "handling this" meant, when Dello Russo  
19 said "handling this"?

20 A. We would have killed members of the Bronx.

21 Q. Did Dello Russo ever discuss with you specific names?

22 A. Yes.

23 Q. Who are some of the people he discussed?

24 A. Stevie, Stevie Jr., Freddy Boy and his father Anthony Blue,  
25 there was Joe Labrano, a fellow named Frankie. I forget his



J5NVCAS4

Pennisi - direct

1 last name. Frankie Salerno, that was his name. And somebody  
2 by the name of Andrew DeSimone.

3 Q. These people that Dello Russo listed, what do they have in  
4 common?

5 A. These were Bronx faction, the Bronx faction of the family.  
6 These people were kind of, I guess, people to be concerned  
7 about, if they were going to make a move on a family.

8 Q. Were they all made members of the Lucchese family?

9 A. Members and captains.

10 Q. As we sit here today, do you still consider yourself to be  
11 a member of the Lucchese family?

12 A. I am not.

13 Q. Around when did your relationship with the Lucchese family  
14 start to change?

15 A. Around late 2017.

16 Q. Was there a single event or many events that caused that  
17 relationship to change?

18 A. Many events.

19 Q. I'm not going to ask you about all of them, but what is the  
20 first event you remember as you sit here today started changing  
21 things?

22 A. There was just some things that took place that caused me  
23 concern.

24 Q. What's the first one that you remember?

25 A. Big John had come to me and Johnny Sideburns. And he said

J5NVCAS4

Pennisi - direct

1 that he wanted to talk to us; and that it's been discussed in  
2 the family that they believe that two members in this family  
3 were wearing wires. And I was just baffled at why he was even  
4 bringing this up.

5 Johnny Sideburns had lifted his shirt up as a joke  
6 that he wasn't wearing a wire. I got very angry at him for  
7 doing that, because this was a serious -- you know, as it could  
8 get -- you could get killed if you were wearing a wire.

9 I went outside after that -- sorry. I said to John,  
10 Why don't you find out who they are. And --

11 Q. To be clear, why is this a concern to you? Why does this  
12 cause you concern?

13 A. Because there was other guys around. He just came to me  
14 and Johnny Sideburns, and I didn't understand why was he coming  
15 to me and him talking about this. He didn't get everybody  
16 together as a group; just like kind of singled us out. And I  
17 didn't like the way he -- like he was -- like he was implying  
18 something and I got very angry. I says, Well, why don't you  
19 find out who they are then.

20 Q. Let me ask you this: This is the first of many events?

21 A. Yes.

22 Q. Can you briefly list some of the other events that caused  
23 you these concerns?

24 A. Yes.

25 The next cause of concern was that I was asked to go